

MEETING OF

THE DELAWARE AGRICULTURAL LANDS PRESERVATION FOUNDATION

A meeting of the Delaware Agricultural Lands Preservation Foundation was held at the Delaware Department of Agriculture, 2320 S. DuPont Hwy. Dover, Delaware, March 16, 2011, with the following members in attendance:

Robert F. Garey, Chairman
William Vanderwende, Vice Chairman
L. Allen Messick, Jr., Treasurer
Theodore P. Bobola, Jr.
Robert L. Emerson

Ed Kee, Secretary of Agriculture
Kevin Coyle representing Collin O'Mara, Secretary of DNREC
Barbara Bennett representing Chip Flowers, State Treasurer
Tim Taraila representing Steven Ditmer

Absent: William "Chip" Narvel, Jr.

The following staff members were in attendance: Howard Mesick, Milton Melendez, Scott Blaier, Cathy Mesick, Kathi Spangler, and Robin West.

Others in attendance: F. Michael Parkowski, Esq.

Chairman Garey opened the meeting at 8:30 a.m.

I. Current Situation Report:

Robin West informed the Board that we have a total of 1,065 farms in preservation districts totaling 154,465 acres, with a total of 628 farms under agricultural easements totaling 99,144 acres at a cost of \$174,526,344. For PDR 16, there are a total of 42 farms, comprising 3,871 acres, with a value of \$40,155,000. For PDR 17, there are a total of 13 farms, comprising 963 acres, with a value of \$9,796,000. For the Forestland Preservation Program there are 40 Forestland Preservation Areas comprising 2,878 acres. For the Forestland Preservation Area Easements, there are a total of 9 properties, comprising 872 acres, with a value of \$1,450,804.

When all the pending Forestland Preservation Areas are processed and approved there will be an additional 20 Forestland Preservation Areas in the Program.

II. Monitoring Report:

Milton Melendez informed the Board that 171 Federal properties have been visited in 2011; 33 properties out of 660 non-Federal properties have been visited, and all non-Federal properties will be visited by July 2011. A total of 204 properties are scheduled to be visited in 2011 out of a total amount of 821 properties.

III. Expansion Eligibility & Final Approval (Contingent Sale):

1. Penuel Expansion of the Carey Home Farm District, ID#S-10-12-055B. After discussion, **Ed Kee moved to accept for eligibility and Final approval the Penuel Expansion of the Carey Home Farm District contingent upon sale of the property, seconded by William Vanderwende. Motion unanimously approved.** It was noted that there are dwellings on the property that will need to be removed within one year once the contingent sale is finalized and the prospective buyer is aware of this.

2. Spicer Farms LLC Expansion of the Howard T. West Memorial District, ID#S-11-02-091F. After discussion, **Kevin Coyle moved to accept for eligibility and Final approval the Spicer Farms LLC Expansion of the Howard T. West Memorial District contingent upon sale of the property, seconded by Theodore P. Bobola, Jr. Motion unanimously approved.**

IV. Expansion Eligibility & Final Approval:

1. Ronshir Expansion of the Adams-Holloway District, ID#K-10-12-039K. After discussion, **Kevin Coyle moved to accept for eligibility/final approval the Ronshir Expansion of the Adams-Holloway District, seconded by Robert Emerson. Motion unanimously approved.**

2. Mayberry Expansion of the Whitby Farms, L.P. District, ID#K-10-12-067P. After discussion, **Allen Messick, Jr. moved to accept for eligibility/final approval the Mayberry Expansion of the Whitby Farms, L.P. District, seconded by Theodore P. Bobola, Jr. Motion unanimously approved.**

V. Secretary of Agriculture's Veto – Secretary Ed Kee waived the right of veto for the above Expansions.

VI. Public Comments – There were no public comments.

VII. Minutes:

Chairman Garey asked if there were any comments or changes to the February 16, 2011, minutes. Hearing none, the Chairman asked for a motion to approve the minutes. **William Vanderwende moved to approve the February minutes, seconded by Robert Emerson. Motion unanimously approved.**

VIII. Financial Highlights:

Howard Mesick then presented the Financial Statement for the month of February 2011, informing the Foundation Board that we had, as of February 28, 2011, \$265,422.77 in the Foundation's interest bearing State of Delaware account. We received \$490.00 license plate income and \$3.61 in rollback taxes from Sussex County. Expenditures for the month of February totaled \$36,735.53. After discussion, **Kevin Coyle moved to approve the February 2011 financial statement as presented, seconded by Robert Emerson. Motion unanimously approved.**

Howard Mesick presented a memorandum (attached) requesting the transfer of funds from one account to another and the creation of an additional account, Contract Clerical Assistance. Discussion followed. After discussion, **William Vanderwende moved to approve the transfer of funds as shown in the memorandum dated March 15, 2011, seconded by Allen Messick, Jr. Motion unanimously approved.**

IX. Executive Session – There was no need for an executive session.

X. Other Business:

1. Orkin Smith Expansion of the Stayton's District, ID#K-05-05-205C – Cell Tower Lease.

Michael Parkowski and the representative of Verizon, John Tracy, Esquire presented the request for the approval of the placement of a cell tower on this farm. Chairman Garey asked about the acreage that would be used for the cell tower. The acreage would be less than 1/20th of an acre. After additional discussion, **Theodore P. Bobola moved to approve the cell tower application, seconded by Kevin Coyle. Motion unanimously approved.**

XI. Adjournment

As there was no further business to come before the Foundation, the meeting adjourned at 9:20 a.m. The next meeting of the Foundation will be held on April 20, 2011 at the Delaware Department of Agriculture, beginning at 8:30 a.m.

Respectfully submitted,

Robert F. Garey
Chairman